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THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

IN RE:

LIF ESMAEL MODABBERI

CASE NO. 09-38264

CHAPTER 13

3883 TURTLE CREEK BLVD  
NO 2010

DALLAS TX 75219  
A/K/A EMAEL LIF MODARBBERI; ESM  
D/B/A DALLAS UNLIMITED REAL EST

JUDGE: HARLIN D. HALE

HEARING DATE: Thu Apr 29, 2010

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MOTION TO DISMISS CHAPTER 13 CASE OR IN THE ALTERNATIVE REDUCE ATTORNEY  
FEES FOR FAILURE TO CONFIRM AND NOTICE OF HEARING THEREON

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Now comes the Office of the Chapter 13 Trustee, Dallas and files this Motion pursuant to Section 1307(C) of the Bankruptcy Code and Bankruptcy Rule 9014; and would respectfully show unto the Court as follows:

This case should be dismissed or in the alternative attorney fees reduced for one or more of the following causes:

  X   Failure to Obtain Confirmation.

Wherefore, your Trustee prays that after notice and hearing, this Chapter 13 case be dismissed or in the alternative reduce attorney fees.

Office of the Chapter 13 Trustee, Dallas

BY: /s/ Thomas D. Powers

Thomas D/ Powers/State Bar No. 16218700  
125 E. John Carpenter Freeway  
Suite 1100  
Irving, TX 75062  
(214) 855-9200/Fax (214) 965-0758

DEBTOR(S) ATTORNEY  
POLK AND ASSOCIATES  
4514 COLE AVE  
SUITE 600  
DALLAS TX

75205

**Notice of Hearing**

To the Debtor(s) and the Debtor's(s') Attorney of Record:

You are notified of the filing of the foregoing Motion of Trustee to Dismiss Chapter 13 case for the reason(s) therein stated. A pre-hearing conference on the Trustee's Motion will be held on Thu Apr 29, 2010 at 8:30 A.M. at Suite 1100, 125 E. John Carpenter Freeway, The Eleventh Floor, Irving, Texas 75062. Motions not resolved/defaulted at the pre-hearing conference will be held by the Court at 2:00 PM on the same day at 1100 Commerce Street, the Fourteenth Floor, Dallas, Texas 75242-1496. You do not have to attend the pre-hearing conference or hearing unless you oppose dismissal of the case.

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**Certificate of Service**

I hereby certify that a copy of the foregoing Motion to Dismiss Chapter 13 Case and Notice of Hearing thereon was served on the following parties at the addresses listed below by United States First Class Mail:

DEBTOR(S): LIF ESMAEL MODABBERI, 3883 TURTLE CREEK BLVD, NO 2010, DALLAS TX, 75219

DEBTOR(S) ATTORNEY: POLK AND ASSOCIATES, 4514 COLE AVE, SUITE 600, DALLAS TX, 75205

CREDITORS:

COUNTY OF DALLAS, CO LINEBARGER GOGGAN BLAIR, 2323 BRYAN STREET SUITE 1600, DALLAS TX, 75201-2644  
MUNSCH HARDT KOPF AND HARR, 3800 LINCOLN PLAZA, 500 N AKARD STREET, DALLAS TX, 75201  
GE MONEY BANK, CO RECOVERY MANAGEMENT SYSTEMS, 25 SE 2ND AVE SUITE 1120, MIAMI FL, 33131-1605  
POLK AND ASSOCIATES, 4514 COLE AVENUE SUITE 600, DALLAS TX, 75205

Dated: March 23, 2010

By: /s/ Thomas D. Powers